

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

JAMES CASWELL JONES,)
)
Movant,)
)
v.) Case No. CV408-051
)
) CR405-283
UNITED STATES OF AMERICA,)
)
Respondent.)

REPORT AND RECOMMENDATION

On the record at the evidentiary hearing held this day, James Caswell Jones withdrew his challenge to his two drug convictions, Counts One and Two of the indictment, which effectively brings to a close his long battle to have those convictions set aside. Accordingly, his 28 U.S.C. § 2255 motion should be **DENIED**.

The Court has one remaining task to perform. The Eleventh Circuit determined that Jones is entitled to a new sentencing hearing on his drug convictions even if those convictions were not vacated on remand. *United States*, 2011 WL 4425315 at * 6 n. 7 (11th Cir. Sep. 23, 2011). The Court, therefore, should schedule the matter for

resentencing. Jones' present counsel is reappointed to represent Jones at that proceeding.

SO ORDERED this 11th day of September, 2012.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA